

Article - Public Safety

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§1-310.

(a) This section does not apply to prepaid wireless telecommunications service.

(b) Each subscriber to switched local exchange access service or CMRS or other 9-1-1-accessible service shall pay a 9-1-1 fee.

(c) (1) Subject to paragraphs (2) through (5) of this subsection, the 9-1-1 fee is 50 cents per month for each switched local exchange access service, CMRS, or other 9-1-1-accessible service provided, payable when the bill for the service is due.

(2) Except as provided in paragraphs (3) through (5) of this subsection, if a service provider provisions to the same individual or person the voice channel capacity to make more than one simultaneous outbound call from a 9-1-1-accessible service, each separate outbound call voice channel capacity, regardless of the technology, shall constitute a separate 9-1-1-accessible service for purposes of calculating the 9-1-1 fee due under paragraph (1) of this subsection.

(3) CMRS provided to multiple devices that share a mobile telephone number shall be treated as a single 9-1-1-accessible service for purposes of calculating the 9-1-1 fee due under paragraph (1) of this subsection.

(4) A broadband connection not used for telephone service may not constitute a separate voice channel capacity for purposes of calculating the 9-1-1 fee due under paragraph (1) of this subsection.

(5) (i) For a telephone service that provides, to multiple locations, shared simultaneous outbound voice channel capacity configured to provide local dial in different states, the voice channel capacity to which the 9-1-1 fee due under paragraph (1) of this subsection applies is only the portion of the shared voice channel capacity in the State identified by the service supplier's books and records.

(ii) In determining the portion of shared capacity in the State, a service supplier may rely on, among other factors, a customer's certification of the customer's allocation of capacity in the State, which may be based on:

1. each end user location;
2. the total number of end users; and

3. the number of end users at each end user location.

(d) (1) The Public Service Commission shall direct each telephone company to add the 9–1–1 fee to all current bills rendered for switched local exchange access service in the State.

(2) Each telephone company:

(i) shall act as a collection agent for the 9–1–1 Trust Fund with respect to the 9–1–1 fees;

(ii) shall remit all money collected to the Comptroller on a monthly basis; and

(iii) is entitled to credit, against the money from the 9–1–1 fees to be remitted to the Comptroller, an amount equal to 0.75% of the 9–1–1 fees to cover the expenses of billing, collecting, and remitting the 9–1–1 fees and any additional charges.

(3) The Comptroller shall deposit the money remitted in the 9–1–1 Trust Fund.

(e) (1) Each 9–1–1 service carrier shall add the 9–1–1 fee to all current bills rendered for CMRS or other 9–1–1-accessible service in the State.

(2) Each 9–1–1 service carrier:

(i) shall act as a collection agent for the 9–1–1 Trust Fund with respect to the 9–1–1 fees;

(ii) shall remit all money collected to the Comptroller on a monthly basis; and

(iii) is entitled to credit, against the money from the 9–1–1 fees to be remitted to the Comptroller, an amount equal to 0.75% of the 9–1–1 fees to cover the expenses of billing, collecting, and remitting the 9–1–1 fees and any additional charges.

(3) The Comptroller shall deposit the money remitted in the 9–1–1 Trust Fund.

(4) The Board shall adopt procedures for auditing surcharge collection and remittance by CMRS providers.

(5) On request of a CMRS provider, and except as otherwise required by law, the information that the CMRS provider reports to the Board shall be confidential, privileged, and proprietary and may not be disclosed to any person other than the CMRS provider.

(f) Notwithstanding any other provision of this subtitle, the 9-1-1 fee does not apply to an intermediate service line used exclusively to connect a CMRS or other 9-1-1-accessible service, other than a switched local access service, to another telephone system or switching device.

(g) A CMRS provider that pays or collects 9-1-1 fees under this section has the same immunity from liability for transmission failures as that approved by the Public Service Commission for local exchange telephone companies that are subject to regulation by the Commission under the Public Utilities Article.

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